

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

Corey Jawan Robinson, # 294233,	)	C/A No. 5:12-502-JMC-KDW
	)	
Plaintiff,	)	
	)	
v.	)	REPORT AND RECOMMENDATION
	)	
Cpt. T. Clark; Ms. D. Bailey, Classification; Lt. J. )		
Williams; Officer S. Mosher; Sgt. J. Aranda; Lolita M. )		
Lee; Sherisse D. Birch; Loretta Aiken; Warden Wayne )		
McCabe; IGC B. J. Thomas; Ofc. J. Middleton; Ofc. )		
Jeremy Johnson; Nurse Luanne Mauney; Nurse J. Scott; )		
Ann Hallman; Ofc. Tabitha Ford; Ms. S. Jones; Cpt. )		
William Brightharp; Major Thierry Nettles; Assoc. )		
Warden Fred Thompson; and Cpt. Ann Sheppard,	)	
	)	
Defendants.	)	
_____	)	

This matter is before the court concerning the court's August 2, 2012 Order that directed Plaintiff to complete and return to the Clerk of Court a new summons form and Form USM-285 for unserved defendant Sgt. J. Aranda with a new updated address for Sgt. J. Aranda. *See* ECF No. 95. Plaintiff was also directed that if he could not obtain a new updated address for Sgt. J. Aranda, he was to notify the court in writing whether he agreed to dismiss Sgt. J. Aranda without prejudice or whether he sought additional time for service of process and why he sought such additional time. *Id.* at 1. The Order further warned Plaintiff that if he did not respond to the Order in a timely manner, the court would recommend Sgt. J. Aranda be dismissed without prejudice. *Id.* at 1-2.

The time for response to the August 2, 2012 Order has passed, and Plaintiff has not responded. Accordingly, pursuant to Federal Rule of Civil Procedure 4(m), it is recommended that Sgt. J. Aranda be dismissed without prejudice as a defendant in this action.

IT IS SO RECOMMENDED.



September 7, 2012  
Florence, South Carolina

Kaymani D. West  
United States Magistrate Judge

**The parties are directed to note the important information in the attached  
“Notice of Right to File Objections to Report and Recommendation.”**

### **Notice of Right to File Objections to Report and Recommendation**

The parties are advised that they may file specific written objections to this Report and Recommendation with the District Judge. Objections must specifically identify the portions of the Report and Recommendation to which objections are made and the basis for such objections. “[I]n the absence of a timely filed objection, a district court need not conduct a de novo review, but instead must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.’” *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310 (4<sup>th</sup> Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee’s note).

Specific written objections must be filed within fourteen (14) days of the date of service of this Report and Recommendation. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b); *see* Fed. R. Civ. P. 6(a), (d). Filing by mail pursuant to Federal Rule of Civil Procedure 5 may be accomplished by mailing objections to:

Larry W. Propes, Clerk  
United States District Court  
Post Office Box 2317  
Florence, South Carolina 29503

**Failure to timely file specific written objections to this Report and Recommendation will result in waiver of the right to appeal from a judgment of the District Court based upon such Recommendation.** 28 U.S.C. § 636(b)(1); *Thomas v. Arn*, 474 U.S. 140 (1985); *Wright v. Collins*, 766 F.2d 841 (4th Cir. 1985); *United States v. Schronce*, 727 F.2d 91 (4th Cir. 1984).